

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF BEE CAVE
October 23, 2012

STATE OF TEXAS §

COUNTY OF TRAVIS §

Present:

Zelda Auslander, Council Member
Steve Braasch, Council Member
Bill Goodwin, Council Member
Jack McCool, Mayor Pro Tem

Absent:

Caroline Murphy, Mayor
Bob Dorsett, Jr., Council Member

City Staff:

Frank Salvato, City Administrator
Patty Akers, City Attorney
Kaylynn Holloway, City Secretary
Katie Griffin, Director of Finance
Lindsey Withrow, Director of Community Services
Russell Pancoast, Chief of Police
Stephen Myrick, Building Official
Barbara Hathaway, Library Director

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Pro Tem McCool at 6:02 p.m. on Tuesday, October 23, 2012 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

There were not any citizen comments at this time.

Consent Agenda.

- A. Consider approval of minutes of the Regular meeting conducted on October 9, 2012.
- B. Consider approval of the monthly financial and investment reports.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to approve the consent agenda.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on a site plan amendment for Tower Features on Buildings 1 and 2; and new colors for buildings J, K, L, N-1 and N-2 in the Shops at the Galleria.

Discuss and consider action on Ordinance No. 130, amending the Comprehensive Sign Package for the Shops at the Galleria.

The above items were opened together for consideration.

Daniel Myrick, General Counsel for Shops at the Galleria, reported on these items but requested that the Council postpone action until the next Council Meeting.

Mike Murphy, 4010 Lochwood Bend, asked the Council to consider the ramifications for approving the sign amendments. He stated that approval would set a precedent for other big retailers to ask for signs on the rear of their buildings.

Fred Butt, 4716 Mont Blanc, stated that he supported the sign amendments and that as a resident he wanted to keep the property taxes low by creating sales tax in the area.

Jeff Anderson, 3928 Vail Divide, stated that the signage is tasteful and that he supported the amendment.

Casie Rodriguez, 4528 Mont Blanc, commented that she supported the signage because it would help keep businesses there.

Paul Cardarella, 4712 Mont Blanc, commented that he was in favor of the sign amendment and he hoped the Council would support the retailers because it would benefit everyone.

Nell Penridge, 15100 Hamilton Pool Road, stated that she agreed with Mr. Murphy and that she was opposed to the proposed sign amendment.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to continue the above two items to the next meeting.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the formal and final acceptance for streets, drainage improvements, signage and associated improvements for Ladera Ranch Phase I and IIA and Ladera Boulevard.

Mr. Salvato presented this item.

Members of the City Council were concerned about the maintenance bond for street and drainage improvements expiring before a project was built or completed.

The timing for the acceptance of final improvements will be discussed at a future meeting.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to formally accept the streets, drainage improvements, signage and associated improvements for Ladera Ranch Phase I and IIA and Ladera Boulevard.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on an amendment to Ladera site plan to allow for Temporary Gas Tank on Lot 41, Block B of Phase 1.

Mr. Salvato stated that the applicant is proposing the temporary installation of three gas trailers and one regulator until Texas Gas Service constructs a gas main along Bee Cave Parkway to provide permanent natural gas to the subdivision.

Adib Khoury of Taylor Morrison was present at the meeting. He stated that the projected start date for Texas Gas Service is November 1st.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve the amended Ladera site plan to allow for a temporary gas tank on Lot 41, Block B of Phase 1 with an amendment to the easement agreement to add under # 10 Termination, (iv) December 1, 2013.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on amendments to the Masonwood/Bella Colinas Development Agreement and concept plan.

Community Services Director Lindsey Withrow presented this item.

Bill McLean of McLean & Howard Law Firm and representing the applicant spoke on this item. He reported that the previously proposed 21.8 acre multifamily site has been revised to be neighborhood services and single family; and forty-seven acres to the east have been added to the plan and proposed as neighborhood services and single family. They are now proposing 118 lots to be 50'x 120'.

Nell Penridge, 15100 Hamilton Pool Road, commented that this development does not reflect what she believes the residents of this community want. Burdening density in the ETJ that will strain our police, roads, schools and water resources is not beneficial to the Bee Cave community. She asked that the project not be approved. She read an email from Christy Muse, Executive Director of Hill Country Alliance, opposing the development as well.

Charlie Coleman, Division President for Meritage Homes, spoke about the energy efficient homes that he is proposing to build in the area.

Melissa Eurich, 20314 Hamilton Pool Road, stated that she opposes 50 foot lots. She would like to keep the lots to at least ½ acre.

Jonathan Coker, Bee Cave West, commented that all of the trees would be cleared in order to build a project with this much density.

Jim Meredith of Masonwood Development commented that they are proposing a responsible project.

Council Member Goodwin stated that he opposed the project from the beginning and as Council Members they needed to look out for the face of Bee Cave and their constituency.

Council Member Auslander asked if the applicants would agree to a minimum of 60 foot lots, adhere to the Neighborhood Services zoning requirements, no metal garage doors and 75% masonry on the top floor.

Mr. McLean asked that the Council continue this item later in the meeting so that they may have an opportunity to discuss some of the requests by Council.

Discussion and update on Bee Cave Parkway Phase IIIB including progress of water quality detention pond.

Mr. Salvato updated the Council on the progress of the water quality pond. He stated that Mr. Skaggs has provided an access easement on their property to the new water quality pond and they are requesting that the City construct a drive entrance from the edge of the pavement to their property.

This item will be presented with more information at the next meeting.

Discuss and consider action on authorizing staff to seek quotes on interior repairs in City Hall from Baker-Triangle and contract amendments with Gallagher Construction Services and Downing Ferguson Peeples.

Terese Ferguson of Downing Ferguson Peeples, LLC reported on this item. She stated that during reconstruction it was observed that openings in the sheetrock above ceiling levels contributed to some mold growth within the outside walls. At the request of Staff, they have conducted a survey of the existing conditions in order to make recommendations for the repairs. The architectural fees for design and preparation of construction documents are estimated to be in the range of \$14,000 to \$20,000.

Mr. Salvato stated that once Ms. Ferguson completes the construction documents, Gallagher Construction would obtain quotes and put together an estimate. Change orders to the existing contracts will be presented at the next meeting.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Auslander, to approve the contract amendment with Downing Ferguson Peeples, LLC for the preparation of construction documents.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Re-Open:

Discuss and consider action on amendments to the Masonwood/Bella Colinas Development Agreement and concept plan.

Mr. McLean asked the Council to postpone further discussion of this item until the next meeting so that they would have an opportunity to review their proposed concept plan.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Auslander, to continue this item until the next meeting on November 13, 2012.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on proposed policy changes for the Bee Cave Police Department.

Police Chief Russell Pancoast presented this item.

MOTION: A motion was made by Council Member Goodwin, seconded by Council Member Braasch, to approve the policy changes for the Bee Cave Police Department as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on the 2013 holiday calendar.

MOTION: A motion was made by Council Member Braasch, seconded by Council Member Auslander, to approve the 2013 Holiday calendar as presented and to amend the 2012 holiday calendar to add December 31, 2012.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin

Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discussion on opening celebration for Bee Cave Parkway Phase IIIB and the City of Bee Cave 25 year anniversary.

Library Director Barbara Hathaway spoke on this item.

The Council agreed to have the 25th anniversary and holiday celebration on December 12, 2012.

The opening celebration for Bee Cave Parkway Phase IIIB will be held sometime in early November.

Discuss and consider landscaping repairs and replacement of sprinkler system around City Hall.

Mr. Salvato reported that due to the repairs around City Hall, most of the landscaping was removed and the sprinkler system damaged. Clean Scapes has given the City a price on the repairs and replacement of plants. The irrigation repairs are \$3,375.00 and to re-establish the landscape is \$5,178.50.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve the repairs and the landscaping plant list as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Discuss and consider action on an amendment to the Interlocal Agreement with the City of Austin.

Mr. Salvato stated that the City of Austin considered the Interlocal Agreement at their last Council meeting. They amended the agreement to require any future amendments to be approved by 75% of the Austin City Council.

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to approve the Interlocal Agreement with the City of Austin.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Member Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

Adjournment

MOTION: A motion was made by Council Member Auslander, seconded by Council Member Braasch, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Auslander, Braasch and Goodwin
Voting Nay: None
Absent: Council Member Dorsett

The motion carried.

The City Council adjourned the meeting at 9:31 p.m.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary